

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
Southern Division
Docket No. 7:00-CR-128-1F**

United States Of America

vs.

Brian Sholar

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**ORDER MODIFYING AND
CONTINUING SUPERVISION**

On April 2, 2001, Brian Sholar appeared before the Honorable James C. Fox, Senior U.S. District Judge in the Eastern District of North Carolina, and upon a plea of guilty to Conspiracy to Possess With Intent to Distribute and Distribute in Excess of 500 Grams of a Mixture of Methamphetamine, in violation of 21 U.S.C. §§ 846 and 841 (a)(1), was sentenced to the custody of the Bureau of Prisons for a term of 151 months. Additionally, it was ordered by the court that the defendant be placed on supervised release for 5 years upon release from imprisonment. Brian Sholar was released from custody and the term of supervised release commenced on September 14, 2010. On January 4, 2013, the conditions of supervised release were modified to include the following additional condition:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

From evidence presented at the revocation hearing on September 29, 2014, the court finds as a fact that Brian Sholar, who is appearing before the court with counsel, has violated the terms and conditions of the judgment as follows:

1. Failure to participate as directed by the probation officer in a mental health program.
2. Failure to pay a monetary obligation.
3. Failure to submit truthful and complete written reports within the first five days of each month.
4. Using a controlled substance.
5. Failure to follow the instructions of the probation officer.

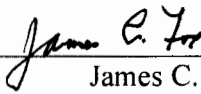
It now appears that the ends of justice would best be served by denying the motion for revocation before the court this date and continuing supervision.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the supervised release term heretofore granted be continued under the existing terms and conditions and with the following modifications:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 180 consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer. The defendant shall pay for electronic monitoring services as directed by the probation officer.
2. The defendant shall avoid all contact with Lynn Sholar.

IT IS FURTHER ORDERED that except as herein modified, the Judgment shall remain in full force and effect.

This the 29th day of September, 2014.



James C. Fox
Senior U.S. District Judge